

RESOLUTION NO. 20190606-059

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City to acquire certain real property interests for public uses as set out below; and

WHEREAS, the City has attempted to purchase those needed real property interests, but has been unable to agree with the owner on the value of the property interest, or the damages, if any; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City against the owner now having, or who may acquire, an interest in the real property interests necessary to the City, described below, for the public uses set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

BE IT FURTHER RESOLVED:

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owners:	Ford Coin Realty, L.P, a Texas limited partnership
Project:	Austin Energy Circuit 811 Upgrade Parcel 42 Project

Public Use: An easement and right of way along, over, under, and across that portion of the Property bounded and described on Exhibit A and shown on Exhibit B, attached hereto and incorporated herein (the "Easement"), to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade or remove (in whole or in part) electric transmission, distribution and electric telecommunications lines and systems; and all necessary or desirable appurtenances and structures (the "Facilities"), in the Easement, and to cut or trim trees and shrubbery and to remove obstructions as necessary to keep them clear of the Facilities and permit unimpeded access to the Facilities.

Location: 8901 North Lamar Boulevard, Austin, Travis County, Texas 78753

The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road; from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas. (District 4).

Property: Described in the attached and incorporated Exhibit A and B.

ADOPTED: June 6, 2019

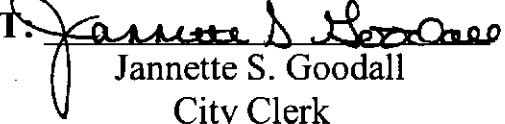
ATTEST: 
Jannette S. Goodall
City Clerk

EXHIBIT "A"

PAGE 1 OF 4



Landesign Services, Inc.

1220 McNeil Road
Suite 200
Round Rock, Texas 78681
Firm Registration No. 10001800
512-238-7901 office
512-238-7902 fax

PROPERTY DESCRIPTION PARCEL 42

BEING A 0.022 OF ONE ACRE (968 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J. APPLGAIIT SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 10-D, NORTH LAMAR PARK COMMERCIAL AREA, RECORDED IN VOL. 30, PG. 32 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 10-D BEING DESCRIBED AS A 0.1906 OF ONE ACRE TRACT OF LAND IN A SPECIAL WARRANTY DEED TO FORD COIN REALITY, L.P., RECORDED IN VOL. 13029, PG. 545 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.022 OF ONE ACRE (968 SQUARE FEET) PARCEL BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rebar with illegible cap (Grid Coordinates: N=10103610.050, E=3127055.339) found for the most Westerly corner of said Lot 10-D and the most Northerly corner of a called 1.876 acre tract of land described in a General Warranty Deed to Nga K. Nguyen and Thanh P. Do, recorded in Document No. 2013133157 of the Official Public Records of Travis County, Texas, also being in the existing Easterly right-of-way line of North Lamar Boulevard (R.O.W. Varies);

THENCE coincident with the common dividing line of said Lot 10-D and said existing Easterly right-of-way line of North Lamar Boulevard, Northeasterly along a curve to the left having a radius of **1601.24** feet, an arc length of **64.52**, a delta angle of **02°18'32"**, and a chord which bears **North 28°19'08" East** a distance of **64.52** feet to a Calculated Point not set for the most Northerly corner of said Lot 10-D and the most Westerly corner of Lot 10-E, of said NORTH LAMAR PARK COMMERCIAL AREA, from which a 1/2-inch iron rebar with cap stamped "HOLT CARSON" found for the most Northerly corner of said Lot 10-E and the most Westerly corner of Lot 10-A, RESUBDIVISION OF LOT 10, BLOCK A, NORTH LAMAR PARK SECTION ONE, recorded in Vol. 24, Pg. 44 of said Plat Records, also being in said existing Easterly right-of-way line of North Lamar Boulevard, bears Northeasterly along a curve to the left having a radius of 1601.24 feet, an arc length of 51.17 feet, a delta angle of **01°49'52"**, and a chord which bears **North 26°14'56" East** a distance of 51.17 feet;

EXHIBIT "A"

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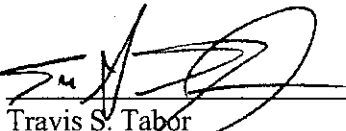
THENCE **South 62°29'08" East** departing said existing Easterly right-of-way line of North Lamar Boulevard, coincident with the common dividing line of said Lot 10-D and said Lot 10-E, a distance of **15.00** feet to a Calculated Point not set for the most Easterly corner of the herein described tract,

THENCE over and across said Lot 10-D, Southwesterly along a curve to the right having a radius of **1616.24** feet, an arc length of **64.60** feet, a delta angle of **02°17'24"**, and a chord which bears **South 28°18'45" West** a distance of **64.59** feet to a Calculated Point not set in the Southwest line of said Lot 10-D and the Northeast line of said 1.876 acre tract;

THENCE **North 62°12'48" West** coincident with the common dividing line of said Lot 10-D and said 1.876 acre tract, a distance of **15.01** feet to the **POINT OF BEGINNING** and containing 0.022 of one acre of land (968 Square Feet) more or less.

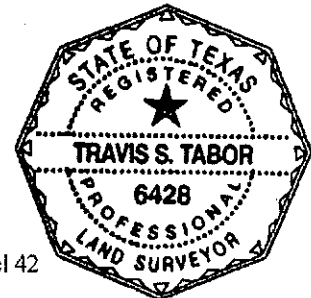
All bearings shown hereon are based on the Texas State Plane Coordinate System (SPCS), Central Zone (4203), NAD83 (2011 Adjustment). All distances and coordinates shown hereon are grid values represented in U.S. Survey Feet.

This property description is accompanied by a separate plat of even date and was prepared by an on the ground survey made under my supervision during the month of October, 2016.


Travis S. Tabor

Registered Professional Land Surveyor
State of Texas No. 6428

01/27/2017
Date



Job Number: 16-006_811 Upgrade

Attachments: Survey Drawing: L:\City of Austin\811 Upgrade\DWGS\Parcels\16006_Parcel 42



GRAPHIC SCALE

EXHIBIT "B"

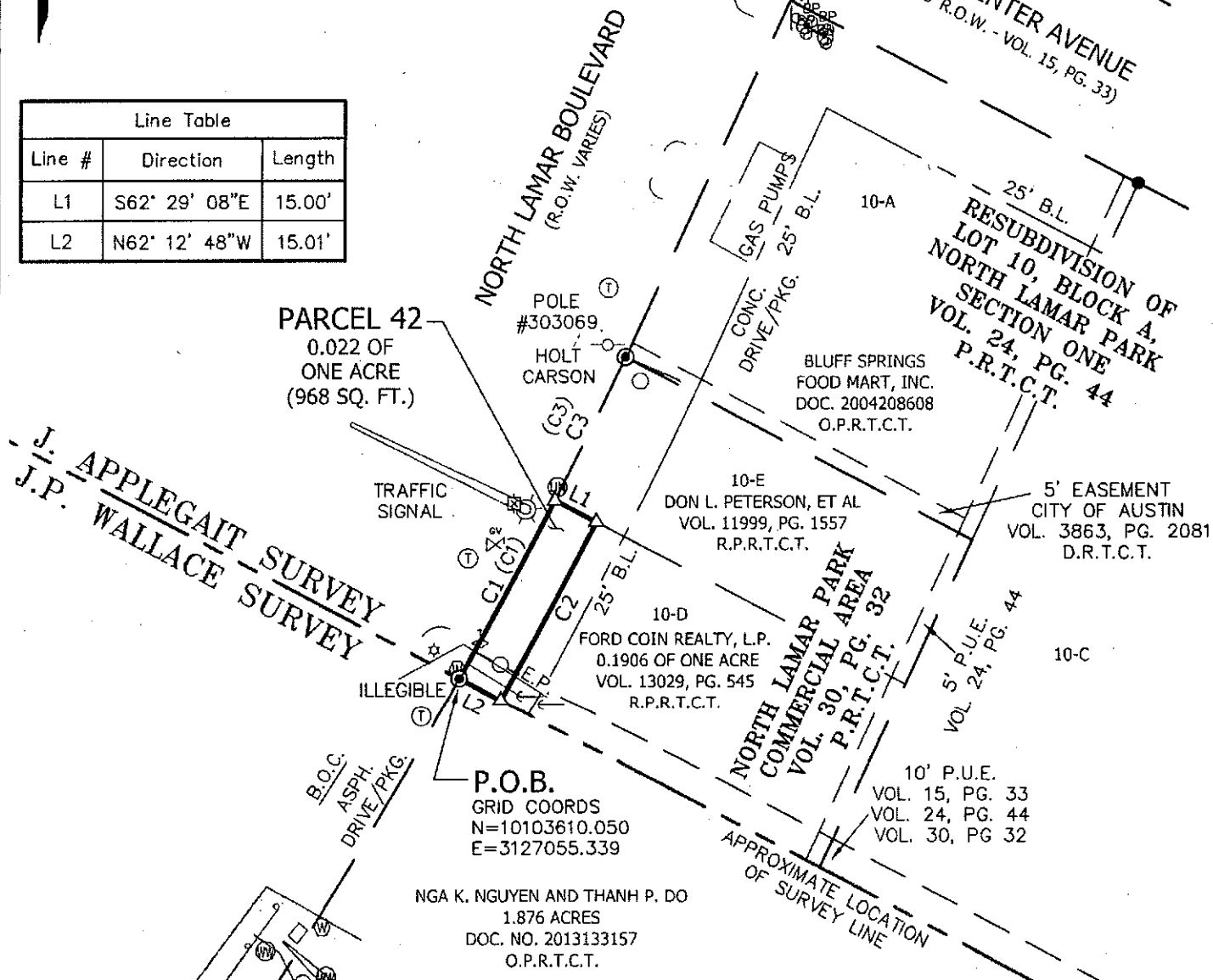
SEE SHEET 4 FOR LEGEND AND
TITLE COMMITMENT NOTES

Curve Table

Curve #	Radius	Length	Delta	Chord Bearing	Chord
C1	1601.24'	64.52'	2°18'32"	N28° 19' 08"E	64.52'
C2	1616.24'	64.60'	2°17'24"	S28° 18' 45"W	64.59'
C3	1601.24'	51.17'	1°49'52"	N26° 14' 56"E	51.17'
(C1)	1601.24'	64.52'		N30° 52'E	64.52'
(C3)	1601.24'	50.65'		N28° 48'E	50.65'

Line Table

Line #	Direction	Length
L1	S62° 29' 08"E	15.00'
L2	N62° 12' 48"W	15.01'



JOB NUMBER: 16-006

DATE: 01/27/2017

PROJECT NAME: 811 UPGRADE

DRAWING NAME: 16006_PARCEL 42

DRAWING FILE PATH:

L:\City of Austin\811 Upgrade\DWGS\Parcels

FIELDNOTE FILE PATH:

L:\City of Austin\811 Upgrade\Metes and Bounds

RPLS: TST

TECH: DH

PARTYCHIEF: JA

CHK BY: JB

SHEET 03 of 04

FIELDBOOKS: 265/267

SCALE: 1" = 50'



**LANDESIGN
SERVICES, INC.**

512-238-7901

1220 MCNEIL ROAD

SUITE 200

ROUND ROCK, TEXAS 78681

FIRM REGISTRATION NO. 10001800

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:

CHICAGO TITLE INSURANCE COMPANY

GF NO.: 1619583-KFO

ISSUE DATE: JUNE 15, 2016 - EFFECTIVE DATE: JUNE 7, 2016.

ONLY THOSE ITEMS LISTED IN SCHEDULE B OF THE ABOVE REFERENCED COMMITMENT FOR TITLE INSURANCE WERE REVIEWED FOR THE PURPOSE OF THIS SURVEY. NO ADDITIONAL RESEARCH WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, OR OTHER ENCUMBRANCES WHICH AFFECT THIS SURVEY THAT ARE NOT KNOWN TO THIS SURVEYOR.

THIS TRACT IS SUBJECT TO RESTRICTIVE COVENANTS RECORDED IN VOL. 15, PG. 33; VOL. 24, PG. 44; AND VOL. 30, PG. 32, PLAT RECORDS OF TRAVIS COUNTY, TEXAS; AND VOL. 2469, PG. 150, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

SCHEDULE B EXCEPTIONS:

10a. ANY AND ALL EASEMENTS, BUILDING LINES AND CONDITIONS, COVENANTS AND RESTRICTIONS AS SET FORTH IN PLAT RECORDED IN VOL. 15, PG. 33, VOL. 24, PG. 44, AND VOL. 30, PG. 32, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. NOTED AND SHOWN HEREON.

10b. EASEMENT RECORDED IN VOL. 2469, PG. 150, DEED RECORDS OF TRAVIS COUNTY, TEXAS. LOT 10 EXCLUDED IN DOCUMENT - DOES NOT AFFECT.

10c. BUILDING SETBACK LINES AS SET FORTH IN VOL. 2469, PG. 150, DEED RECORDS OF TRAVIS COUNTY, TEXAS. LOT 10 EXCLUDED IN DOCUMENT - DOES NOT AFFECT.

10d. 5' PUBLIC UTILITY EASEMENT ALONG THE REAR PROPERTY LINE AS SHOWN ON RECORDED PLAT AND DEDICATION. SHOWN HEREON - DOES NOT AFFECT.

10e. NOT A SURVEY MATTER.

10f. NOT A SURVEY MATTER.

10g. NOT A SURVEY MATTER.

10h. ANY VISIBLE AND APPARENT EASEMENT, EITHER PUBLIC OR PRIVATE, LOCATED ACROSS THE LAND, THE EXISTENCE OF WHICH IS NOT DISCLOSED BY THE PUBLIC RECORDS AS HEREIN DEFINED. NOTED HEREON.

10i. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND.

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), CENTRAL ZONE (4203).

DISTANCES SHOWN HEREON ARE GRID VALUES REPRESENTED IN U.S. SURVEY FEET.

THIS SURVEY PLAT ACCOMPANIES A METES AND BOUNDS DESCRIPTION OF EVEN DATE.

THIS MAP WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION. THE FIELD WORK WAS COMPLETED IN OCTOBER, 2016.

TRAVIS S. TABOR
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS - NO. 6428

01/27/2017
DATE



LEGEND

✱	COTTON SPINDLE FOUND (OR AS NOTED)
■	TX.D.O.T. TYPE I MONUMENT FOUND
■	TX.D.O.T. TYPE II MONUMENT FOUND
●	IRON REBAR FOUND (1/2" OR AS NOTED)
○	IRON PIPE FOUND (1/2" OR AS NOTED)
⊙	IRON REBAR FOUND WITH CAP (ILLEGIBLE)
▲	NAIL FOUND (PK OR AS NOTED)
△	CALCULATED POINT NOT SET
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
O.R.T.C.T.	OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS OF TRAVIS COUNTY, TEXAS
P.R.T.C.T.	PLAT RECORDS OF TRAVIS COUNTY, TEXAS
C.R.T.C.T.	CONDOMINIUM RECORDS OF TRAVIS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
U.E.	UTILITY EASEMENT
B.L.	BUILDING LINE
(S45°E 45')	RECORD INFO. PER TRAVIS COUNTY

LEGEND

CO	WASTEWATER CLEANOUT	— ONE —	OVERHEAD ELECTRIC
○		⊗	ELECTRIC MISC.
W	WATER METER	⊕	ELECTRIC MANHOLE
W	WATER VALVE	○	POLE
ICV	IRRIGATION CONTROL VALVE	—○—	POWER POLE
UN	UNKNOWN MANHOLE	⊥	SIGN POST
PB	ELECTRIC PULLBOX	W	WATER METER
M	MAILBOX	⊙	FIRE HYDRANT
—	GUARDRAIL	BP	BOLLARD
—	IRON FENCE	⊙	TELEPHONE MANHOLE
		TEL	TELEPHONE PEDESTAL
		TV	CABLE MARKER
		CONC.	CONCRETE
		ASPH.	ASPHALT
		PKG.	PARKING AREA
		E.P.	EDGE OF PAVEMENT
		B.O.C.	BACK OF CURB

JOB NUMBER: 16-006

DATE: 01/27/2017

PROJECT NAME: 811 UPGRADE

DRAWING NAME: 16006_PARCEL 42

DRAWING FILE PATH:

L:\City of Austin\811 Upgrade\DWGS\Parcels

FIELDNOTE FILE PATH:

L:\City of Austin\811 Upgrade\FIELD\Field to Office\FNs

RPLS: TST

TECH: DH

PARTYCHIEF: JA

CHK BY: JB

SHEET 04 of 04 FIELDBOOKS: 265/267

SCALE: 1" = 50'



LANDESIGN
SERVICES, INC.

512-238-7901

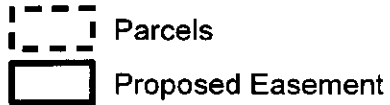
1220 MCNEIL ROAD

SUITE 200

ROUND ROCK, TEXAS 78681

FIRM REGISTRATION NO. 10001800

Proposed Easement at Ford Coin Realty Tract #42



2018 Aerial Imagery, City of Austin



*AE Public Involvement
& Real Estate Services*



0 50 100
Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by AUSTIN ENERGY for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by MGomez 11/29/2018

